

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

JAMES F. MCKINNON, ADMINISTRATOR,)
OF THE ESTATE OF YVONNE T. MCKINNON,)
AND JAMES F. MCKINNON, INDIVIDUALLY,)

Plaintiff,)

v.)

PHILLIPA HARRIS AND RUSSELL ALGREN,)

Defendants.)

Civil No. 1:05-CV-93-JAW

**ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION OR, IN THE ALTERNATIVE,
CERTIFICATION OF THE ISSUE OF ENHANCED DAMAGES**

On September 21, 2005, this Court issued a decision, granting Phillipa Harris and Russell Algren's Motion for Judgment on the Pleadings to the extent Count I of the Special Declaration claimed enhanced compensatory damages. On September 30, 2005, Mr. McKinnon filed a Motion for Reconsideration or, in the Alternative, Certification of the Issue of Enhanced Damages in connection with this Court's September 21, 2005, Order. Ms. Harris and Mr. Algren objected to Mr. McKinnon's Motion.

This Court DENIES the Motion for Reconsideration or, in the Alternative, Certification of the Issue of Enhanced Damages.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 18th day of October, 2005

Plaintiff

James F. McKinnon

represented by **Michael P. Hall**

*individually and as Administrator
of the Estate of Yvonne T.
McKinnon
Estate of
Yvonne T. McKinnon*

Hall Stewart
80 Merrimack St
Manchester, NH 03101
603 669-8080
Fax: 603 669-0903
Email: mhall@hallstewart.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Phillipa Harris

represented by **Gregory S. Clayton**
Aten Clayton & Eaton
PO Box 349
Littleton, NH 03561
603 444-4008
Email: gclayton@acetril.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Russell Algren

represented by **Gregory S. Clayton**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED